

Department of Permits Approvals and Inspections
111 West Chesapeake Avenue
Towson, Maryland 21204
Baltimore County, Maryland

In the Matter of

Civil Citation No.88312

Thomas Watkins
Wilfriede Watkins

1902 Inverton Road

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE ADMINISTRATIVE LAW JUDGE

This matter came before the Administrative Law Judge on March 23, 2011 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-7-210(a), failure to cease the storage of all garbage, rubbish trash or manure that may become a food source for rats; Baltimore County Zoning Regulations (BCZR) section 1B01.1D, failure to remove open dump/junkyard conditions, section 415A, failure to license or remove untagged trailer on residential property.

On February 23, 2011, pursuant to § 3-6-205, Baltimore County Code, Inspector Dan O'Neill issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$2,000.00 (two thousand dollars).

The following persons appeared for the Hearing and testified: Allen Watkins, son of ailing Respondent, Wilfriede and, Dan O'Neill, Baltimore County Code Enforcement Officer.

Testimony was presented that an inspection of the property on 1/19/11 revealed the presence of trash cans of garbage without lids, and a truck body being used as a trash receptacle. A correction notice was issued. On 2/8/11 a re-inspection of the property was carried out at which time no improvement was noted. The resident requested an additional two week extension to bring the property into compliance. Another re-inspection on 2/22/11 still showed no improvement and a citation was issued, mailed and posted. A pre-hearing inspection on 3/21/11 revealed that considerable ameliorative work had been done, although some trash and the truck body remained. The Respondent testified and reiterated his intention to complete the clean up of the property and remove the truck body.

Having heard the testimony and evidence presented at the Hearing:

IT IS ORDERED by the Administrative Law Judge that a civil penalty be imposed in the amount of \$1,000.00 (one thousand dollars).

IT IS FURTHER ORDERED that \$500.00 of the civil penalty will be suspended if by April 15, 2011 the truck body is removed from the property.

IT IS FURTHER ORDERED that \$300.00 of the remaining \$500.00 civil penalty be suspended with an immediate \$200.00 imposed at this time for ongoing violations that continue to exist on the property.

IT IS FURTHER ORDERED that any fines suspended pursuant to the above will be imposed if there is a subsequent finding against the Respondent for the same violation.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 29th day of March 2011

Signed: Original Signed 3/29/11
Lawrence M. Stahl
Managing Administrative Law Judge

NOTICE TO RESPONDENT: The Respondent is advised that pursuant to §3-6-301(a) of the Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security to satisfy the penalty assessed.